

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: August Underground Bonus Disc

Other Known Title: Not Stated

Format: DVD

Director/Author: Logan Tallman

Producer/Publisher: Fred Vogel

Country of Origin: USA

Language: English

Applicant: Comptroller of Customs

Distributor: Not Applicable

Classification:	The unexcised version of this publication is classified as Objectionable .
	The excised version of this publication is classified as Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 28 June 2007

Date of direction to issue a label: Not Applicable

OFLC No: 700614

Unexcised version of publication:

	Components	Running time
Menu:	Hammer To The Head: A Closer Look At August Underground August Underground: On Location August Underground: Behind The Brutality "Too Real For Comfort" An Outsiders Perspective Slideshow	
Other timed components:	Fred Vogel Introduction Murder Set Pieces (Trailer) Tattoo Parlour August Underground: Behind The Scenes (x3) "Too Real For Comfort" An Outsiders Perspective Slideshow	1.19 2.59 5.04 66.45 101.41 12.29
Total running time:		190.17

Excisions: Excisions Recommended But Not Made

Reasons for excisions:

Excisions to the publication are required to remove material that promotes and supports the infliction of torture, extreme violence and extreme cruelty. Degrading images, depictions of the infliction of serious physical harm, acts of significant cruelty and violence in association with sexual conduct are also likely to be injurious to the public good under section 3(3)(a)(iii), s3(3)(a)(ii) and s3(3)(c) of the Films, Videos, and Publications Classification Act 1993.

Summary of reasons for classification:

The DVD entitled *August Underground Bonus Disc* is classified as: Objectionable.

The publication is a DVD comprising primarily two behind-the-scenes documentaries about a low-budget faux-snuff exploitation film from the United States. The Classification Office requested the publication's importer to excise specified parts of the publication that promote and support the use of violence to compel a person to submit to sexual conduct, acts of torture and the infliction of extreme cruelty, and would be injurious to the public good for reasons specified under s3(3) of the FVPC Act 1993. The strength of these extremely explicit and extremely real images of people being tortured and mutilated, some of it sexualised, and presented for no other purpose than to entertain or titillate, would be highly disturbing to most people.

In this instance the importer did not contact the Classification Office within 20 working days of the date of the excision notice. The publication is therefore objectionable.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable, or for reasons specified under s3(3) would be injurious to the public good.